

REMARKS/ARGUMENTS

The Examiner is thanked for discussing the case with the undersigned on November 2, 2006. The claims have been amended to overcome the formal rejections. It is respectfully submitted for reasons appearing below that the application is in immediate condition for allowance.

The rejection of Claim 47 under the first paragraph of 35 U.S.C. § 112 for containing the term "linoleic acid" has been overcome by striking the term. Claim 47 has also been revised by changing "maleic acid anhydride" to the acid form only and Claim 49 has been amended to depend from Claim 48 providing proper antecedent basis for "the inorganic filler." Thus, the rejection of Claims 47 and 49 under the second paragraph of 35 U.S.C. § 112 is overcome as well.

The provisional obviousness-type double patenting rejection of Claims 26 and 47 over Claim 60 of copending application No. 10/827,376 is respectfully traversed. The cited application was filed after the application in caption and it is believed that in view of the changes and the arguments presented below that the claims are patentable. Thus, using the practice discussed at M.P.E.P. § 804, the provisional rejection should be withdrawn here.

The rejection of Claims 26, 27, and 47-55 under 35 U.S.C. § 103 as unpatentable over newly cited JP '764 is respectfully traversed.

As mentioned during the November 2, 2006 discussion with the Examiner, applicants respectfully submit that the present claims patentably distinguish over the newly cited reference. The description in paragraph [0017] shows that the layer containing the stearate is not a layer containing a resin binder. During the discussion, the Examiner stated her belief that the text at paragraph [0013] suggested that a resin was present in the layer with the stearic acid. The Examiner is thanked for providing applicants with a full English translation of the reference. Following a review thereof, applicants submit with respect that their

interpretation of the reference is proper and that the reference does show a laminate system in which the layer containing the stearate is not the layer containing the binder resin. Paragraph [0013] contains a discussion of an interlayer 3 that is next to conductive base material layer 2. The discussion in paragraphs [0016] and [0017] is of the latter layer. Moreover, the working examples, designated as Practical Examples, do not properly teach or suggest the elements recited in the present claims; the products are different. Accordingly the rejection should be withdrawn.

In view of the foregoing revisions and remarks, it is respectfully submitted that the application is in immediate condition for allowance and the U.S. PTO paper to those ends is earnestly solicited. The Examiner is requested to telephone the undersigned if additional changes are required in the case prior to allowance.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

COPY

Richard L. Treanor
Registration No. 36,379

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413-2220
(OSMMN 03/06)